

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

REGINALD HOYLE,

Plaintiff,

VS.

ACE EXPEDITORS,

Defendants.

No. 05-2726-M1/V

ORDER OF DISMISSAL

Plaintiff Reginald Hoyle filed a pro se complaint pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq., on September 30, 2005, along with a motion seeking leave to proceed in forma pauperis. The Court issued an order on November 11, 2005 denying leave to proceed in forma pauperis and directing the plaintiff to pay the \$250 civil filing fee within thirty days. The order further provided that "[f]ailure to timely comply with this order will result in dismissal of this action, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute." 11/11/05 Order at 2.

The plaintiff has not paid the filing fee, and the time set in the November 11, 2005 order has expired. Accordingly, the

Court DISMISSES the action without prejudice, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute.

IT IS SO ORDERED this 31st day of January, 2006.

/s/ Jon P. McCalla
JON PHIPPS McCALLA
UNITED STATES DISTRICT JUDGE